

RCE/2800/

PTO/SB/30 (10/2001)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/847,645
Filing Date	May 1, 2001 #13
First Named Inventor	Asbury
Art Unit	2881 Strange
Examiner Name	D. Vanore 8/6/03
Attorney Docket Number	UW Asbury

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO ) on page 2.

1. **Submission required under 37 CFR §1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)
  - ii.  Affidavit(s)/Declaration(s)      iv.  Other \_\_\_\_\_

2. **Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR §1.114(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR§1.17(i) required)
- b.  Other

3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 02-0915
  - i.  RCE fee required under 37 CFR §1.17(e)
  - ii.  Extension of time fee (37 CFR §§1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ 375.00 enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Delbert J. Barnard	Registration No. (Attorney / Agent)	20,515
Signature	<i>Delbert J. Barnard</i>	Date	July 22, 2003

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**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print / Type)	Delbert J. Barnard
Signature	<i>Delbert J. Barnard</i>
Date	July 22, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

## AMENDMENT TRANSMITTAL LETTER (Small Entity)

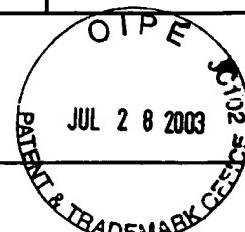
Applicant(s): Asbury et al.

Docket No.

UW Asbury

Serial No.  
09/847,645Filing Date  
May 1, 2001Examiner  
D. VanoreGroup Art Unit  
2881

Invention: DEVICE AND METHODS FOR DETECTING SAMPLES IN A FLOW

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	18 -	20 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	5 -	5 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable)		<input type="checkbox"/>			\$0.00
					\$0.00
					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. in the amount of  
A duplicate copy of this sheet is enclosed.
- A check in the amount of to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-0915  
A duplicate copy of this sheet is enclosed.
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.

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Dated: July 22, 2003

Delbert J. Barnard  
Signature  
Delbert J. Barnard  
Barnard, Loop & McCormack LLP  
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206.381.3100

I certify that this document and fee is being deposited on July 22, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Delbert J. Barnard  
Signature of Person Mailing Correspondence

CC:

Delbert J. Barnard  
Typed or Printed Name of Person Mailing Correspondence



13/a  
Shange  
8/6/03

**PATENT APPLICATION**  
Our Docket: UW Asbury

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On July 22, 2003, by Delbert J. Barnard.

Signature: Delbert J. Barnard

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit: 2881

Examiner: D. Vanore

Applicant: Asbury et al.

Serial No: 09/847,645

Filed: May 1, 2001

Title: DEVICE AND METHODS FOR DETECTING SAMPLES IN FLOW

Date: July 22, 2003

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**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This Response is accompanied by a Request for Continued Prosecution and the required fee. Responsive to the Office Action mailed April 22, 2003, entry of the following amendments and remarks is respectfully requested.

Inventors: Asbury et al.  
Serial No.: 09/847, 645  
Filed: May 1, 2001  
Page 2

**AMENDMENTS**

Please amend claims 1, 6, and 11 to 13 as set forth herein below.

The current status of all claims pending in the present application is shown below. Currently amended claims are presented with markings to indicate the changes made relative to the immediate prior version by underlining of added text.